

Bradford J. Sandler (NY Bar No. 4499877)
Ilan D. Scharf, Esq. (NY Bar No. 4042107)
Jason S. Pomerantz, Esq. (CA Bar No. 157216)
PACHULSKI STANG ZIEHL & JONES LLP
780 Third Avenue, 34th Floor
New York, New York 10017
Telephone: (212) 561-7700
Facsimile: (212) 561-7777

Counsel to Plaintiff RDC Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re:

ROCHESTER DRUG CO-OPERATIVE, INC.

Debtor.

Chapter 11

Case No. 20-20230 (PRW)

Advisory Trust Group, LLC, as trustee of the RDC
LIQUIDATING TRUST,

Plaintiff,

v.

AMNEAL PHARMACEUTICALS LLC, d/b/a
AMNEAL SPECIALTY, AMNEAL
PHARMACEUTICALS, LLC

Defendants.

Adv. Proc. No. 2-22-02004-PRW

FOURTH STIPULATION EXTENDING TIME TO ANSWER COMPLAINT

Plaintiff, RDC Liquidating Trust, through its trustee Advisory Trust Group, LLC (“Plaintiff” or the “RDC Liquidating Trust”), successor in interest to Rochester Drug Co-Operative, Inc. (“Debtor”), and defendants, Amneal Pharmaceuticals LLC, d/b/a Amneal Specialty, Amneal Pharmaceuticals LLC (“Defendants” and, together with Plaintiff, the “Parties”), by and through their undersigned attorneys, hereby stipulate and agree:

WHEREAS, on February 3, 2022, Plaintiff filed a complaint (the “Complaint”) against Defendants;

WHEREAS, the summons (the “Summons”) was issued on February 4, 2022;

WHEREAS, on February 4, 2022, Defendants were served with the Summons and Complaint; and

WHEREAS, on February 18, 2022, the Parties entered into a stipulation (the “First Stipulation”) by which the time required for Defendants to answer the Complaint was extended through and including April 15, 2022. The First Stipulation was approved by order entered February 23, 2022.

WHEREAS, on March 29, 2022, the Parties entered into a stipulation (the “Second Stipulation”) by which the time required for Defendants to answer the Complaint was further extended through and including June 15, 2022. The Second Stipulation was approved by order entered March 30, 2022.

WHEREAS, on June 6, 2022, the Parties entered into a stipulation (the “Third Stipulation”) by which the time required for Defendants to answer the Complaint was further extended through and including August 31, 2022. The Third Stipulation was approved by order entered June 13, 2022.

The Parties hereby stipulate and agree to the matters set forth below:

1. The Parties continue to negotiate and exchange information and have agreed, subject to Court approval, to further extend the time for the Defendants to answer the Complaint to and including September 28, 2022.

[Remainder of Page Intentionally Left Blank]

2. All other terms set forth in the First Stipulation, Second Stipulation and Third Stipulation remain in full force and effect.

Dated: July 26, 2022

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Ilan D. Scharf

Bradford J. Sandler (NY Bar No. 4499877)

Ilan D. Scharf (NY Bar No. 4042107)

Jason S. Pomerantz (CA Bar No. 157216)

780 Third Avenue, 34th Floor

New York, NY 10017

Telephone: (212) 561-7700

Email: bsandler@pszjlaw.com

ischarf@pszjlaw.com

jspomerantz@pszjlaw.com

Counsel to Plaintiff RDC Liquidating Trust

Dated: July 26, 2022

KIRKLAND & ELLIS LLP

/s/ Joshua A. Sussberg

Joshua A. Sussberg, P.C. (NY Bar No. 4216453)

601 Lexington Avenue

New York, NY 10022

Telephone: (212) 446-4800

Email: joshua.sussberg@kirkland.com

-and-

Mark McKane, P.C. (CA Bar No. 230552)

Michael P. Esser (CA Bar No. 268634)

555 California Street

San Francisco, CA 94104

Telephone: (415) 439-1400

Email: mark.mckane@kirkland.com

michael.esser@kirkland.com

Counsel to Defendants Amneal

Pharmaceuticals LLC d/b/a Amneal

Specialty and Amneal Pharmaceuticals LLC

SO ORDERED:

DATED: _____, 2022

Rochester, New York

HON. PAUL R. WARREN

United States Bankruptcy Judge